

CCDF Tribal Plan Preprint Training

FY 2020–2022 CCDF Tribal Plan Preprint

Section 2: Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings



**National Center on Tribal
Early Childhood Development**

Section 2 Overview

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- ◆ **2.1:** Requirements for Health and Safety Standards
- ◆ **2.2:** Monitoring and Enforcement Policies and Practices for CCDF Providers
- ◆ **2.3:** Criminal Background Checks
- ◆ **2.4:** Disaster Preparedness and Response Plan

Health and Safety Overview

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- ◆ Applies to all Tribes regardless of allocation size
 - ◆ All Tribal Lead Agencies must certify that there are in effect health and safety requirements applicable to providers serving CCDF children and that those requirements are under Tribal, local, or state law
- ◆ Health and safety requirements apply to all child care providers who receive CCDF funds, including providers who only receive quality funds
 - ◆ This also includes the following:
 - Tribal language and culture camps
 - Language nests
 - School-break camps

Child Care and Development Fund, 45 C.F.R § 98.41 (2016).

Relative Care Providers

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- ◆ Tribal Lead Agencies can choose to exempt relative care providers from some or all of their health and safety requirements
- ◆ Relative care providers must be caring for only children who are related to them to be exempt
- ◆ Relative care providers include individuals who are 18 years of age or older and related to eligible child by marriage, blood relationship or court decree
- ◆ Tribal Lead Agencies can choose to exempt the following relative care providers from their standards:
 - Grandparents
 - Great-grandparents
 - Siblings in a separate residence
 - Aunts
 - Uncles



Child Care and Development Fund, 45 C.F.R § 98.2(2); § 98.42(c) (2016).

Health and Safety in the CCDF Final Rule



Standards

Training

Monitoring

CCDF Tribal Plan Preprint Training

FY 2020–2022 CCDF Tribal Plan Preprint

Requirements for Health and Safety Standards



Section 2.1

2.1: Requirements for Health and Safety Standards

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- ◆ Tribal Lead Agencies must establish health and safety standards for all types of child care programs that serve children receiving CCDF assistance.
- ◆ Tribal Lead Agencies have the option of exempting relatives from some or all CCDF health and safety standards.

Health and safety standards apply to all categories of care:

Center-based care
(including Tribally operated centers)

Family child care homes

In-home care

Standards must be appropriate to the provider setting and age of the children served.

Child Care and Development Fund, 45 C.F.R § 98.41(a) (2016).

CCDF Health and Safety Standards

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Health and safety standards

- ◆ establish your CCDF program's **minimum expectations** for your approved providers,
- ◆ set the foundation for the health and safety of children in quality care settings, and
- ◆ strengthen the relationship between caregivers and children as well as provide for the safety and developmental needs of the children served, given the type of child care setting.

Child Care and Development Fund, 45 C.F.R § 98.41(d) (2016).

Example Standard: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

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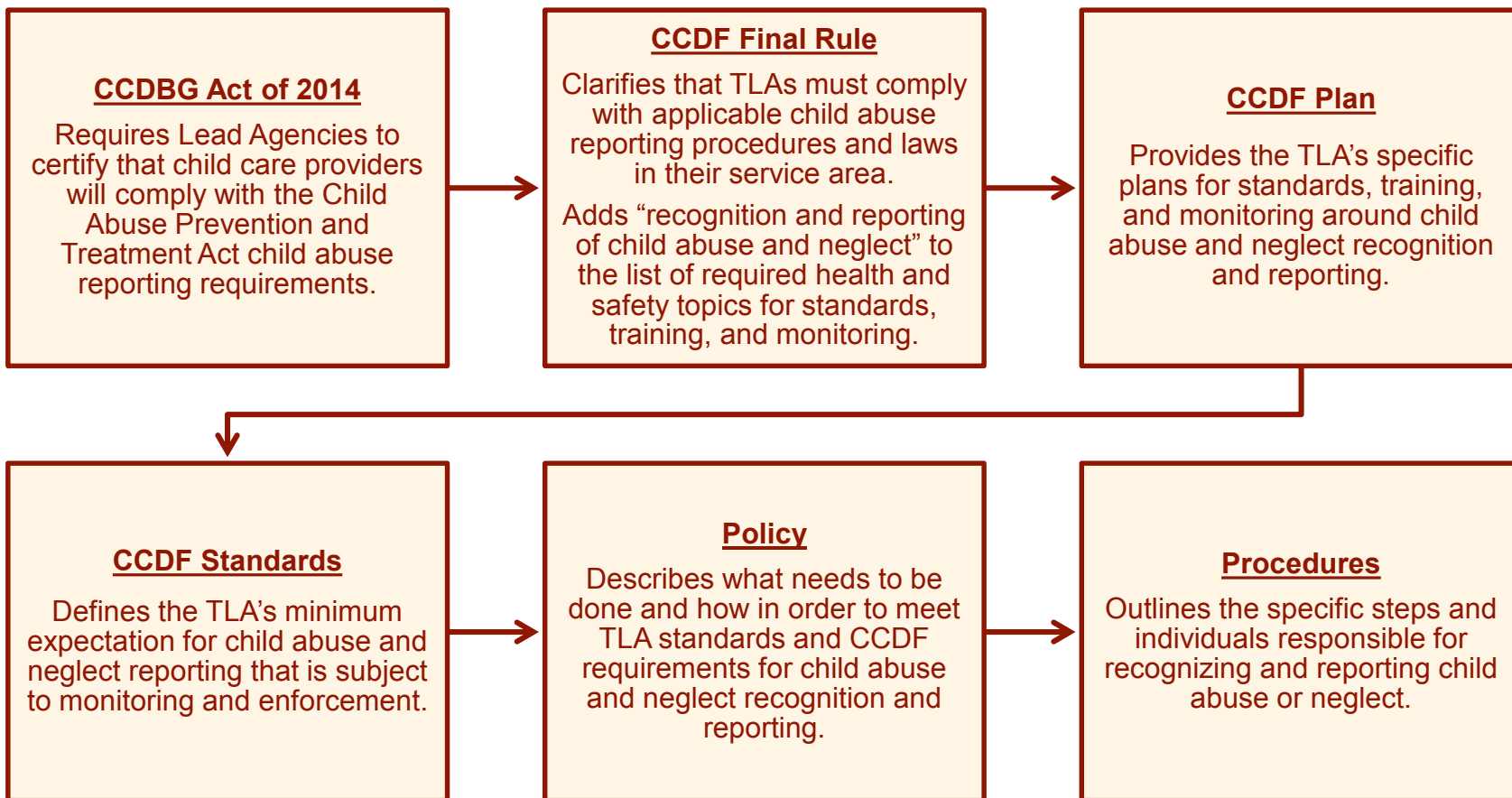
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“Because caregivers/teachers are mandated reporters of child abuse and neglect, Tribes should have a written policy for reporting child abuse and neglect.

The written policy should specify that in any instance where there is reasonable cause to believe that child abuse or neglect has occurred, the individual who suspects child abuse or neglect should report directly to the child abuse reporting hotline, child protective services, or the tribal or state police, as required by tribal, federal, state and local laws.”

Source: Minimum Health and Safety Standards: A Guide for AI/AN CCDF Grantees, Revised 2018, from:
<https://childcareta.acf.hhs.gov/resource/minimum-health-and-safety-standards-guide-american-indian-and-alaska-native-child-care-and>

Example: Child Abuse and Neglect Recognition and Reporting



Note: "CCDBG" is Child Care and Development Block Grant.

Example: Standard, Training, and Monitoring Implementation

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Standards

Standard: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

“Because caregivers/teachers are mandated reporters of child abuse and neglect, AI/AN CCDF grantees should have a written policy for reporting child abuse and neglect.

The written policy should specify that in any instance where there is reasonable cause to believe that child abuse or neglect has occurred, the individual who suspects child abuse or neglect should report directly to the child abuse reporting hotline, child protective services, or the tribal or state police, as required by tribal, federal, state and local laws.”

Training

Training: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

Training on recognizing and reporting suspected child abuse, neglect, and exploitation is provided by CCDF partners in the Tribal Indian Child Welfare department

Pre-service training on this standard, policy, and procedures is required for all newly hired caregivers, teachers, and directors serving all ages of children in center-based care

Ongoing training of 2 hours on this standard, policy and procedures is required annually for all center-based providers who serve all ages of children in care.

Monitoring

Reporting Suspected Child Abuse, Neglect, and Exploitation

Required pre-approval monitoring inspection visit to ensure provider has documentation that indicates current training on standard has been completed for caregivers, teachers, and directors serving all ages of children.

Required annual unannounced monitoring inspection visit to ensure center-based provider can provide documentation that mandatory training had occurred and has been maintained on an annual basis for all caregivers, teachers, and directors.

Inspection visits completed by CCDF partners at local Indian Health Service Environmental Health department using

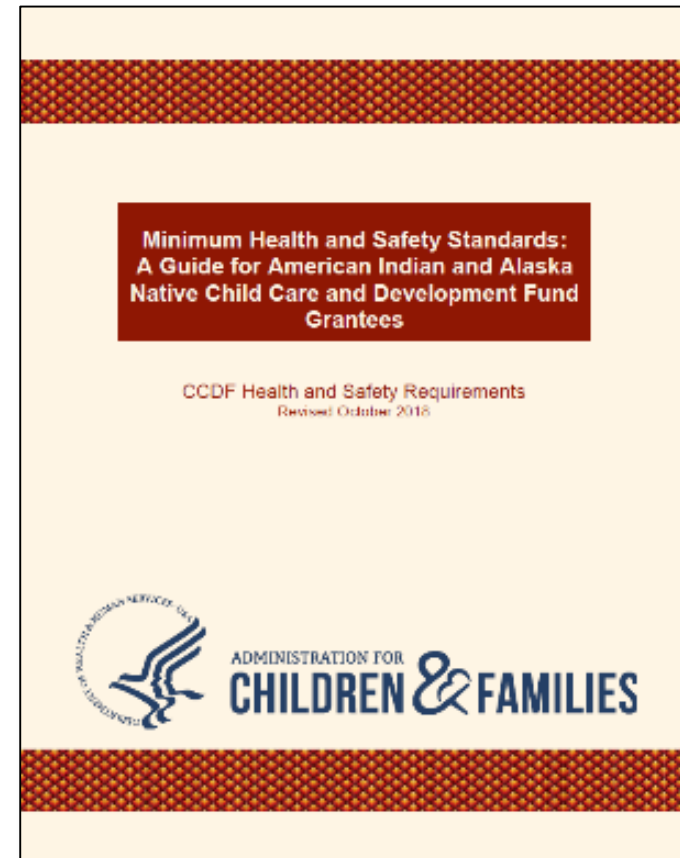
Considerations for Health and Safety Standards

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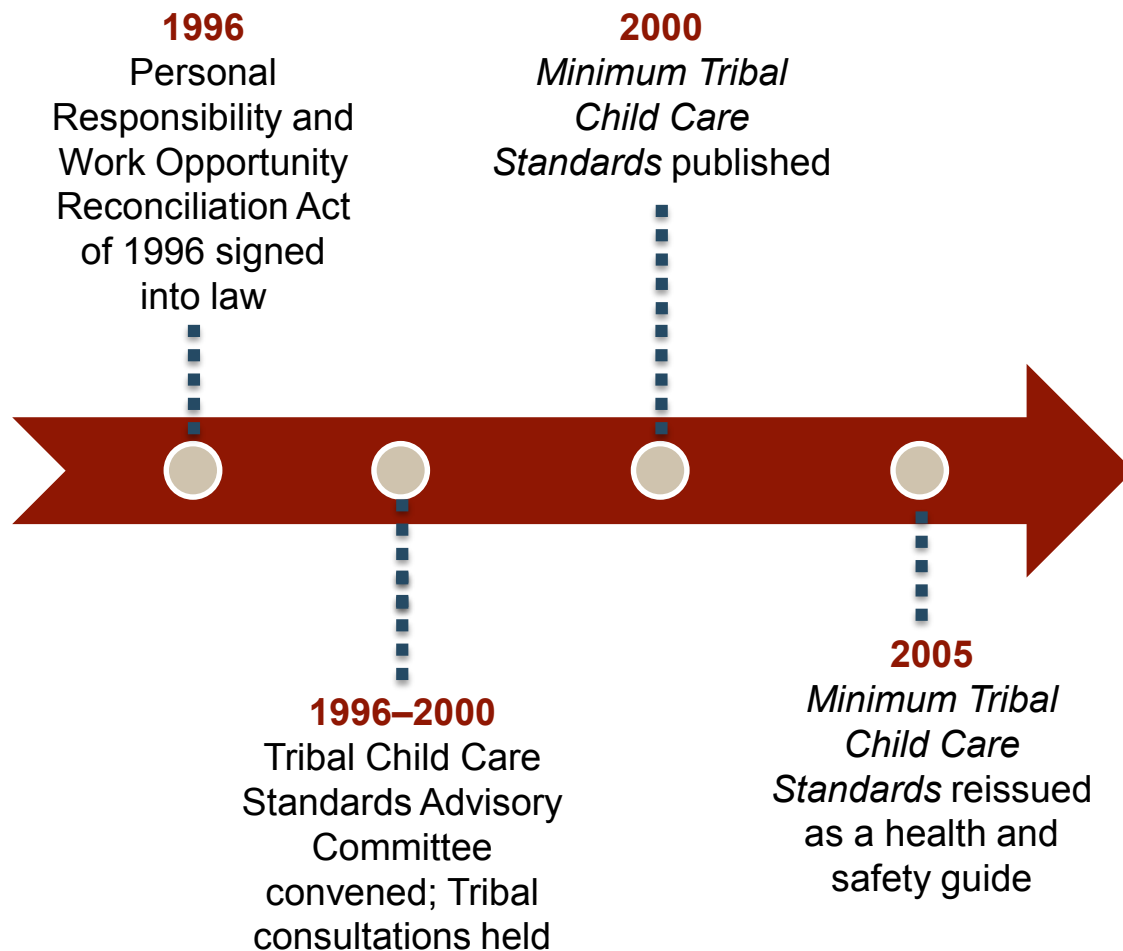
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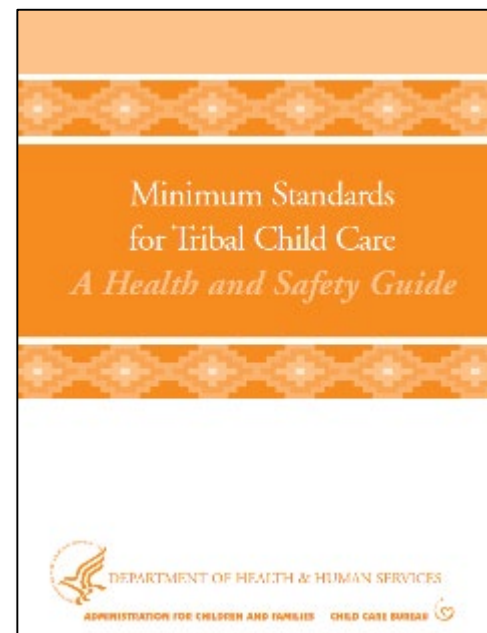
- ◆ Provides **guidelines** for a minimum set of health and safety standards specifically for Tribal Lead Agencies that are aligned to the health and safety requirements outlined in the CCDF final rule
- ◆ Represents a baseline from which all Tribal Lead Agencies should operate to ensure that children are cared for in healthy and safe environments and that their basic needs are met



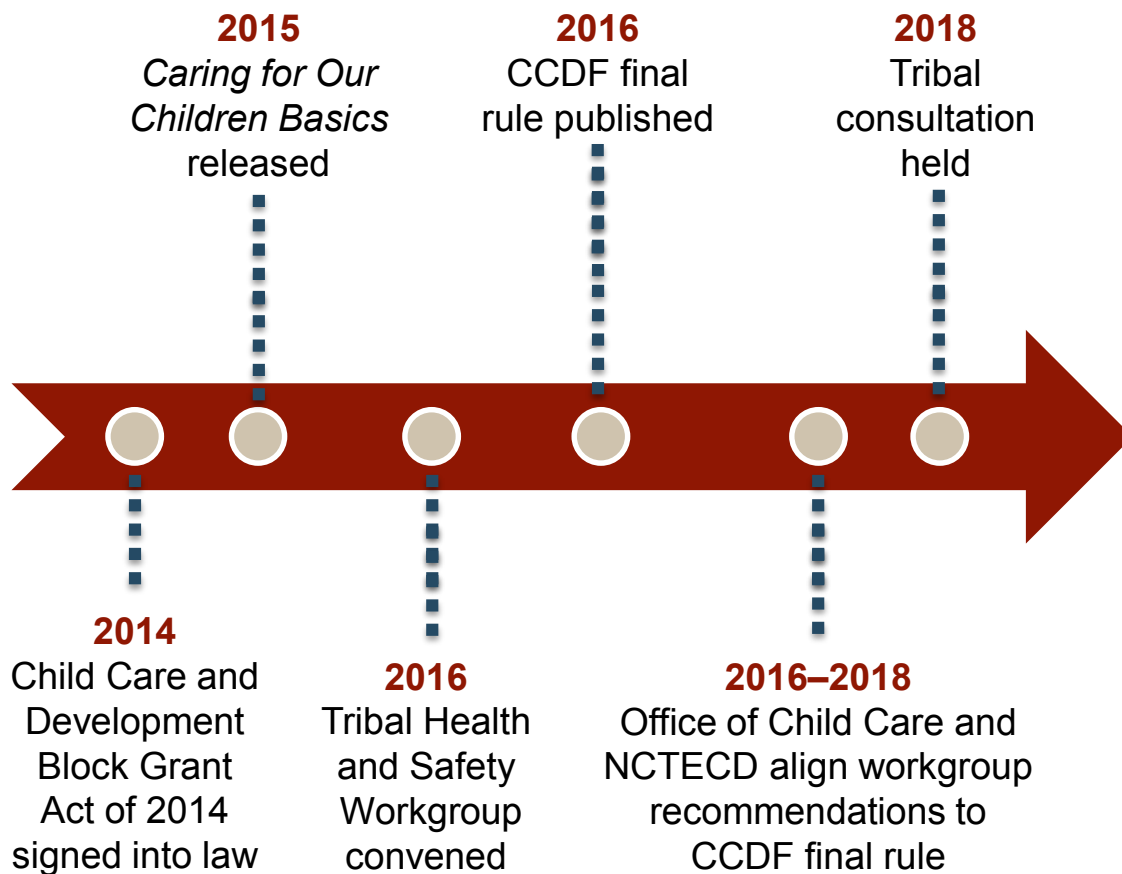
History



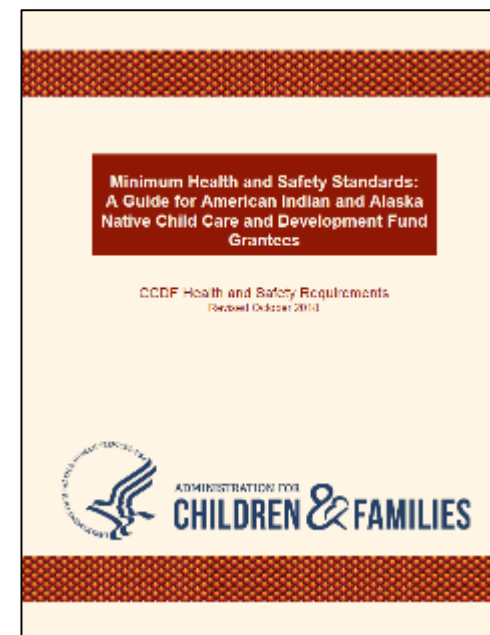
2008
Minimum Standards for Tribal Child Care: A Health and Safety Guide updated



History (continued)



2018
Minimum Health and Safety Standards: A Guide for American Indian and Alaska Native Child Care and Development Fund Grantees published

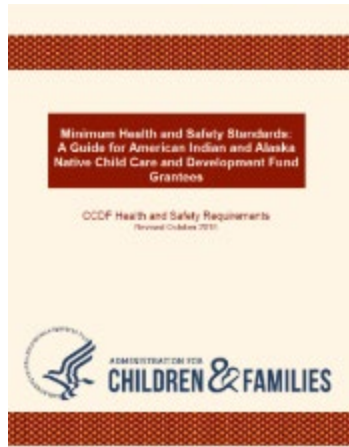


Approaches for Health and Safety Standards

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- ◆ **Adopting** an existing set of health and safety standards
- ◆ **Adapting** an existing set of health and safety standards
- ◆ **Writing** your own set of health and safety standards
- ◆ Using a **combination** of standards



Additional Health and Safety Standards

- ◆ *Caring for Our Children Basics: Health and Safety Foundations for Early Care and Education*
- ◆ *Caring for Our Children: National Health and Safety Performance Standards Guidelines for Early Care and Education Programs*, third edition
- ◆ *Stepping Stones to Caring for Our Children*, third edition (SS3)
- ◆ Head Start Program Performance Standards
- ◆ State licensing standards

Activity: Four Corners

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Adopting an
existing set of
health and
safety standards

Writing your
own set of
health and
safety standards

Adapting an
existing set of
health and
safety standards

Using a
combination of
standards

2.1.1: Health and Safety Standards Used by the Tribal Lead Agency

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Provider Categories	Tribal Standards	State Standards	Head Start/ Early Head Start Standards	Other Standards or Combination of Standards (e.g., Tribal standards <i>and</i> State standards)	The Tribal Lead Agency does not provide this type of care
Center-based Care (e.g., Tribally operated centers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____	<input type="checkbox"/>
Family Child Care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____	<input type="checkbox"/>
In-Home Care (in the child's home)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____	<input type="checkbox"/>



Categories of Care

- ◆ Center-based, including tribally operated centers
- ◆ Family child care
- ◆ In-home (in the child's home)

Health and safety requirements apply to all child care providers who receive CCDF funds, including providers who only receive quality funds

This also includes the following:

- ◆ Tribal language and culture camps
- ◆ Language nests
- ◆ School-break camps

Child Care and Development Fund, 45 C.F.R § 98.2 (2016).

Think, Pair, Share

- ◆ What categories of care do you provide?
- ◆ Discuss the different standards you use for center-based providers versus family child care providers?
- ◆ Do you have different standards for child care providers located in different parts of the service area?

- ◆ Example:
 - State licensing standards for off-reservation providers and Tribally developed standards for providers on the reservation

Plan Writing Time

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5 minutes



Questions

◆ 2.1.1 (table)

Health and Safety Topics in the CCDBG Act of 2014

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1. Prevention (including immunizations) and control of infectious diseases
2. Prevention of sudden infant death syndrome and the use of safe sleep practices
3. Administration of medication, consistent with standards for parental consent
4. Prevention of and response to emergencies due to food and allergic reactions
5. Building and physical premises safety
6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment
7. Emergency preparedness and response
8. Handling and storage of hazardous materials and the appropriate disposal of biocontaminants
9. Precautions in transporting children (if applicable)
10. Pediatric first aid and cardiopulmonary resuscitation (CPR)

2.1.2: Health and Safety Standards

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1. Prevention (including immunizations) and control of infectious diseases
2. Prevention of sudden infant death syndrome and the use of safe sleep practices
3. Administration of medication, consistent with standards for parental consent
4. Prevention of and response to emergencies due to food and allergic reactions
5. Building and physical premises safety
6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment
7. Emergency preparedness and response
8. Handling and storage of hazardous materials and the appropriate disposal of biocontaminants
9. Precautions in transporting children (if applicable)
10. Pediatric first aid and cardiopulmonary resuscitation (CPR)
- 11. Recognition and reporting of child abuse and neglect**

Child Care and Development Fund, 45 C.F.R § 98.41(a) (2016).

2.1.2: Health and Safety Standards by Required Topic

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For each of the required health and safety topics, Tribal Lead Agencies must do the following:

- ◆ Define the standard
- ◆ Explain any variations based on category of care or age of children served
- ◆ Describe any exemptions for relative care providers



2.1.3: Optional Health and Safety Topics

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- ◆ Nutrition (including age-appropriate feeding)
- ◆ Access to physical activity
- ◆ Caring for children with special needs
- ◆ Any other subject area determined by the Tribal Lead Agency to be necessary to promote child development or to protect children's health and safety

Do the following for each standard:

- ◆ Define the standard
- ◆ Explain any variations by category of care and ages of children served
- ◆ Describe any exemptions for relative care providers

Child Care and Development Fund, 45 C.F.R § 98.41(a) (2016).

Health and Safety Standards by Required Topic



1. Prevention (including immunizations) and control of infectious diseases
 2. Prevention of sudden infant death syndrome and the use of safe sleep practices
 3. Administration of medication, consistent with standards for parental consent
 4. Prevention of and response to emergencies due to food and allergic reactions
 5. Building and physical premises safety
 6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment
 7. Emergency preparedness and response
 8. Handling and storage of hazardous materials and the appropriate disposal of biocontaminants
 9. Precautions in transporting children (if applicable)
 10. Pediatric first aid and cardiopulmonary resuscitation (CPR)
 11. Recognition and reporting of child abuse and neglect
- Optional Topics:**
- ◆ Nutrition (including age-appropriate feeding)
 - ◆ Access to physical activity
 - ◆ Caring for children with special needs
 - ◆ Any other subject area determined by the Tribal Lead Agency to be necessary to promote child development or to protect children's health and safety

Sharing

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- ◆ What questions do you have about these requirements?
- ◆ What are your major challenges?
- ◆ How will you address these requirements in your program?



Plan Writing Time

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15 minutes



Questions

- ◆ 2.1.2
- ◆ 2.1.3

2.1.4: Standards on Child-Staff Ratios, Group Sizes, and Qualifications for CCDF Providers

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- ◆ Tribal Lead Agencies are required to establish standards for the following:
 - Child-staff ratios
 - Group size limits
 - Required qualifications for providers
- ◆ Standards should reflect the child care setting and the ages of children served

Considerations

Tribal Lead Agencies have flexibility in defining standards and provider types that are reflective of the culture and language and that meet the needs of the children and families served.

The final rule does not establish a federal requirement for group size and child-staff ratios but does include recommendations.

Child Care and Development Fund, 45 C.F.R § 98.41(d) (2016).

Discussion on Qualifications

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- ◆ What qualifications does your Tribal Lead Agency require for hiring child care staff?
- ◆ What qualifications does your Tribal Lead Agency expect for providers to be approved?
- ◆ Is there a time frame for these qualifications to be met by the potential staff or providers?
- ◆ What does your current hiring procedure look like?
- ◆ How do you currently process provider applications?

Plan Writing Time

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5 minutes



Questions

◆ 2.1.4

2.1.5: Health and Safety Training for CCDF Providers on Required Topics

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Caregivers, teachers, and directors must do the following:

- ◆ Meet minimum pre-service and/or orientation training requirements **(to be completed within 3 months)**, as appropriate to the provider setting and the age of children served, that address the health and safety standards and child development
- ◆ Meet ongoing training requirements to maintain and update health and safety standards and child development

- ◆ Describe requirements for pre-service and/or orientation training as well as ongoing training
- ◆ Consider that Tribal Lead Agencies have flexibility to determine the number of training hours to require
- ◆ Explore best practices and the recommended time needed to address these training requirements

Child Care and Development Fund, 45 C.F.R § 98.44(b) (2016).

Example: Standards and Training

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Standards

Standard: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

“Because caregivers/teachers are mandated reporters of child abuse and neglect, AI/AN CCDF grantees should have a written policy for reporting child abuse and neglect.

The written policy should specify that in any instance where there is reasonable cause to believe that child abuse or neglect has occurred, the individual who suspects child abuse or neglect should report directly to the child abuse reporting hotline, child protective services, or the tribal or state police, as required by tribal, federal, state and local laws.”

Training

Training: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

Training on recognizing and reporting suspected child abuse, neglect, and exploitation is provided by CCDF partners in the Tribal Indian Child Welfare department

Pre-service training on this standard, policy, and procedures is required for all newly hired caregivers, teachers, and directors serving all ages of children in center-based care

Ongoing training of 2 hours on this standard, policy and procedures is required annually for all center-based providers who serve all ages of children in care.

Health and Safety Training for CCDF Providers on Required Topics

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1. Prevention (including immunizations) and control of infectious diseases
2. Prevention of sudden infant death syndrome and the use of safe sleep practices
3. Administration of medication, consistent with standards for parental consent
4. Prevention of and response to emergencies due to food and allergic reactions
5. Building and physical premises safety
6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment
7. Emergency preparedness and response
8. Handling and storage of hazardous materials and the appropriate disposal of biocontaminants
9. Precautions in transporting children (if applicable)
10. Pediatric first aid and cardiopulmonary resuscitation (CPR)
11. Recognition and reporting of child abuse and neglect
12. **Child development**

Optional Topics:

- ◆ Nutrition (including age-appropriate feeding)
- ◆ Access to physical activity
- ◆ Caring for children with special needs
- ◆ Any other subject area determined by the Tribal Lead Agency to be necessary to promote child development or to protect children's health and safety

Child Care and Development Fund, 45 C.F.R §§ 98.41(a), 98.44(b) (2016).

Sharing

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- ◆ What questions do you have about these requirements?
- ◆ What are your major challenges?
- ◆ How will you address these requirements in your program?



Plan Writing Time

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10 minutes



Questions:

◆ 2.1.5

CCDF Tribal Plan Preprint Training

FY 2020–2022 CCDF Tribal Plan Preprint

Monitoring and Enforcement Policies and Practices for CCDF Providers

Section 2.2



2.2: Monitoring Requirements

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Tribal Lead Agencies must have the following requirements for health, safety, and fire monitoring and inspection, by provider type:

- ◆ Licensed or regulated CCDF providers require
 - one pre-approval or prelicensure inspection and
 - an annual unannounced inspection.
- ◆ License-exempt CCDF providers require
 - an annual inspection.

Tribal Lead Agencies also have the option to describe an **alternative monitoring approach** in their CCDF Plan and provide adequate justification for the approach.

Note: Tribal Lead Agencies are not required to have licensing requirements for child care.

Child Care and Development Fund, 45 C.F.R. §§ 98.42, 98.83 (2016).

Example: Standard, Training, and Monitoring Implementation

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Standards

Standard: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

“Because caregivers/teachers are mandated reporters of child abuse and neglect, AI/AN CCDF grantees should have a written policy for reporting child abuse and neglect.

The written policy should specify that in any instance where there is reasonable cause to believe that child abuse or neglect has occurred, the individual who suspects child abuse or neglect should report directly to the child abuse reporting hotline, child protective services, or the tribal or state police, as required by tribal, federal, state and local laws.”

Training

Training: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

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Ongoing training of 2 hours on this standard, policy and procedures is required annually for all center-based providers who serve all ages of children in care.

Monitoring

Monitoring: Recognizing and Reporting Suspected Child Abuse, Neglect, and Exploitation

Required pre-approval monitoring inspection visit to ensure provider has documentation that indicates current training on standard has been completed for caregivers, teachers, and directors serving all ages of children.

Required annual unannounced monitoring inspection visit to ensure center-based provider can provide documentation that mandatory training had occurred and has been maintained on an annual basis for all caregivers, teachers, and directors.

Inspection visits completed by CCDF partners at local Indian Health Service Environmental Health department using checklist developed with CCDF program.

2.2.1: Enforcement of Health and Safety Requirements

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Tribal Lead Agencies must do the following:

- ◆ Describe how they monitor CCDF providers
- ◆ Indicate who conducts monitoring visits (the Tribal Lead Agency or another entity)
- ◆ Do either of the following
 - Certify that they meet inspection requirements in the CCDF final rule
 - Describe an alternative approach and provide justification

Child Care and Development Fund, 45 C.F.R § 98.42 (2016).

Considerations

- ◆ Tribal Lead Agencies have some flexibility in determining which monitoring requirements should apply to child care providers, but they cannot use this flexibility to bypass these requirements altogether
- ◆ Tribal Lead Agencies may introduce strategies that are culturally appropriate, financially workable, and meet the needs of the community

2.2.1: Enforcement of Health and Safety Requirements

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Group share: How does your Tribal Lead Agency monitor all types of your CCDF providers for compliance with your health and safety standards?



Plan Writing Time

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5 minutes



Questions

◆ 2.2.1

2.2.2: Monitoring Inspectors

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Tribal Lead Agencies must have policies and practices that ensure that individuals who are hired as inspectors are qualified to inspect child care providers and facilities.

Describe the following:

- ◆ Inspector qualifications
- ◆ Training for inspectors on health and safety requirements, appropriate to the type of provider and ages of children served

Child Care and Development Fund, 45 C.F.R § 98.42 (2016).

2.2.3: Ratio of Monitoring Inspectors

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- ◆ Tribal Lead Agencies must have policies and practices about the ratio of inspectors to child care providers and facilities.
- ◆ This ratio must enable effective and timely inspections that meet Tribal, federal, state, and local laws.

Child Care and Development Fund, 45 C.F.R § 98.42 (2016).

2.2.4: Exemptions for Relatives

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Tribal Lead Agencies have the option to exempt relatives from some or all of the inspection requirements if the individual cares for related children only.

Relatives, by marriage, blood relationship, or court decree, include the following:

- ◆ Grandparents
- ◆ Great-grandparents
- ◆ Siblings in a separate residence
- ◆ Aunts
- ◆ Uncles

Child Care and Development Fund, 45 C.F.R§ 98.2(2); § 98.42(c) (2016).

Plan Writing Time

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15 minutes



Questions

- ◆ 2.2.1
- ◆ 2.2.2
- ◆ 2.2.3
- ◆ 2.2.4

Reflections on Sections 2.1 and 2.2

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- ◆ What **questions** do you still have about these CCDF Plan sections?
- ◆ What **strategies** would you like to apply in your CCDF program?
- ◆ What are your **next steps** for completing these CCDF Plan sections?
- ◆ What **technical assistance** might you need to support your next steps?

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Section 2: Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings (Continued)



**National Center on Tribal
Early Childhood Development**

CCDF Tribal Plan Preprint Training

FY 2020–2022 CCDF Tribal Plan Preprint

Criminal Background Checks

Section 2.3



Section 2.3 Overview

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- ◆ **2.3.1: Background Check Components**
- ◆ **2.3.2: Alternative Approach for Background Checks**
- ◆ **2.3.3: Disqualifying Crimes**
- ◆ **2.3.4: Appeals**
- ◆ **2.3.5: Fees**
- ◆ **2.3.6: Relatives**

2.3: Criminal Background Checks

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Tribal Lead Agencies are required to have in effect policies and procedures to conduct criminal background checks for all child care staff members (including prospective staff members) of

- ◆ all child care programs that are licensed, regulated, or registered under Tribal law and
- ◆ all other providers eligible to deliver CCDF services.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3: Criminal Background Checks

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For each required component of the criminal background checks, Tribal Lead Agencies must have both:

- ◆ Authority
- ◆ Access

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3: Criminal Background Checks

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Background check requirements apply to the following:

- ◆ Any staff member who is employed by a child care provider for compensation
- ◆ Contract employees
- ◆ Self-employed individuals
- ◆ Any individual whose activities involve the care or supervision of children or who have unsupervised access to children

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

Family Child Care Homes

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- ◆ Background checks are required for
 - the caregiver and
 - any other adults living in the family child care home who are 18 years of age or older.
- ◆ Background checks are **not** required for individuals who are related to **all** children in care.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

Providers Meeting State Lead Agency Requirements

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- ◆ Tribes do not need to require additional or duplicative background checks for child care provider staff who have already met the state's background check requirements, consistent with the final rule.
- ◆ This applies to child care providers who are
 - licensed by the state or
 - receive CCDF funding from the state.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1: Background Check Components

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- ◆ Criminal background checks include five specific components:
 - Two national checks
 - Three state checks
 - In individual's current state of residence
 - In any state where the individual has lived within the last five years
- ◆ Checks of registries or records maintained by the Tribe are encouraged but not required

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

Tribal Background Check Requirement Highlights

Applicability of Rules

- Tribal Lead Agencies
- Licensed, regulated, and registered providers*
- CCDF providers*
- **Current and prospective staff members***
 - Including those employed before 11/19/2014 (date of enactment)

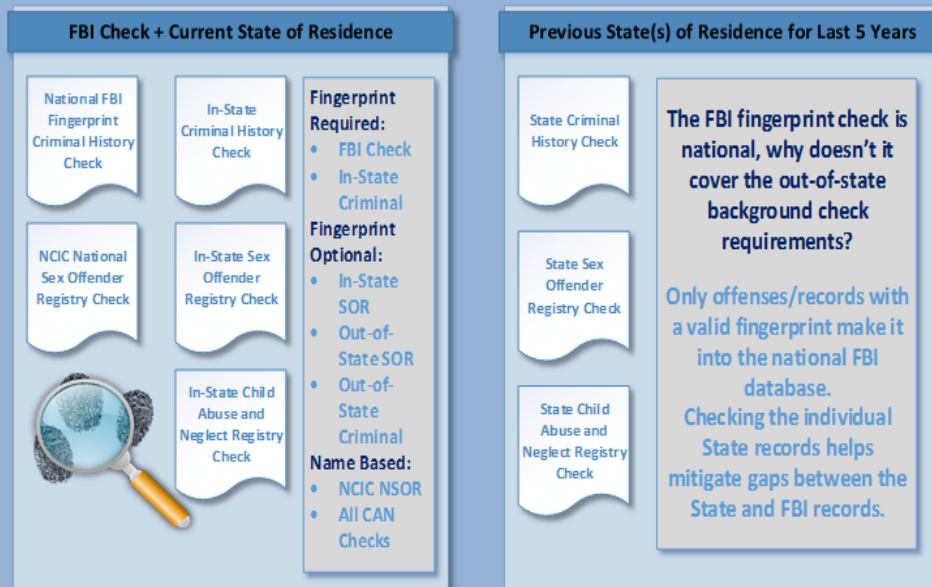
*Except those related to all children in care.

Individuals Subject to Background Checks

- Those employed by a provider for compensation
- Contracted employees and self-employed
- Those who care for, supervise, or have unsupervised access to children in care
- Adults living in a family child care home

Tribes may describe an alternative background check approach, subject to OCC approval.

Required National and State-based Background Checks



Background checks are required prior to employment and at least every 5 years.

Background checks should meet a standard 45-day or less turnaround time.

Individuals may start work once the FBI or State fingerprint check is returned as satisfactory, but must be continually supervised until a determination is made on all checks.

Revised: 03/12/2019

2.3.1: Background Check Components

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National Background Checks	In-State Background Checks	Out-of-State Background Checks
National FBI criminal history check, with fingerprint	In-state criminal history check, with fingerprint	Out-of-state criminal history check
National Crime Information Center (NCIC) sex offender registry (NSOR) check	In-state sex offender registry check	Out-of-state sex offender registry check
	In-state child abuse and neglect registry check	Out-of-state child abuse and neglect registry check

You must also run all three of these checks for each state in which the individual has lived within five years.

You must run all five of these checks for all designated individuals.

All checks must meet a 45-day-or-less turnaround time.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (a): FBI Criminal Fingerprint Search

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The national FBI criminal history check is the first of two national checks that must be completed in addition to the three in-state, state-based checks:

- ◆ This check **must** be completed using a fingerprint.
- ◆ The national check **does not** cover the in-state or inter-state criminal history check because some state crimes may not appear in the national repository.



List of approved FBI channelers: <https://www.fbi.gov/services/cjis/compact-council/list-of-approved-channelers>

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (b): National Crime Information Center National Sex Offender Registry Search

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The NCIC national sex offender registry search is the second of two national checks that must be completed in addition to the three in-state, state-based checks:

- ◆ This is a name-based search.
- ◆ A search of general, public-facing sex offender registries **does not** satisfy this requirement.
- ◆ This national check **does not** cover the in-state or inter-state sex offender registry check requirements.
- ◆ It must be performed by law enforcement.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (c): State Criminal Registry or Repository Check Requirement

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The in-state criminal history check is the first of three in-state, state-based checks that must be completed in addition to the national checks and out-of-state checks, when applicable:

- ◆ This check **must** be completed using a fingerprint.
- ◆ Searching a general, public-facing judicial website **does not** satisfy this requirement.
- ◆ This state-based check must be completed in addition to the national FBI criminal history check to manage any gaps that may exist between the two sources.



Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (c): State Criminal Registry or Repository Check Requirement

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- ◆ If the individual has lived in another state or states within the last 5 years, the out-of-state criminal registry or repository check must be completed in each state of residence.
- ◆ The out-of-state criminal history check is the first of three out-of-state, state-based checks that must be completed in addition to the national checks and in-state checks.
- ◆ It is **optional** to use a fingerprint to complete this check.
- ◆ Searching a general, public-facing judicial website **does not** satisfy this requirement.
- ◆ This state-based check must be completed in addition to the national FBI criminal history check to manage any gaps that may exist between the two sources.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (d): State Sex Offender Registry or Repository Check Requirement

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The in-state sex offender registry check is the second of three in-state, state-based checks that must be completed in addition to the national checks and out-of-state checks, when applicable:

- ◆ It is **optional** to use a fingerprint to complete this check.
- ◆ This state-based check must be completed in addition to the national NCIC sex offender registry check to manage any gaps that may exist between the two sources.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (d): State Sex Offender Registry or Repository Check Requirement

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- ◆ If the individual has lived in another state or states within the last 5 years, the out-of-state sex offender registry or repository check must be completed in each state of residence.
- ◆ The out-of-state sex offender registry check is the second of three out-of-state, state-based checks that must be completed in addition to the national checks.
- ◆ It is **optional** to use a fingerprint to conduct this check.
- ◆ This state-based check must be completed in addition to the national NCIC sex offender registry check to manage any gaps that may exist between the two sources.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (e): State Child Abuse and Neglect Registry Check Requirement

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The in-state child abuse and neglect registry check is the third of three in-state, state-based checks that must be completed in addition to the national checks and out-of-state checks, when applicable:

- ◆ This is a name-based search.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (e): State Child Abuse and Neglect Registry Check Requirement

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- ◆ If the individual has lived in another state or states within the last 5 years, the out-of-state child abuse and neglect registry check must be completed in each state of residence.
- ◆ The out-of-state child abuse and neglect registry check is the third of three out-of-state, state-based checks that must be completed in addition to the national checks.
- ◆ This is a name-based search.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (f): Tribal Registry or Repository Check (optional)

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Tribal Lead Agencies are encouraged (but not required) to check registries maintained by the Tribe (rather than a state).

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (g): Checks by Third Party Public or Private Entity (optional)

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Checks by third party entities (either public or private), such as a vendor, are optional.



Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.1 (h): Any Other Component Not Listed (optional)

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Tribal Lead Agencies that include checks of any other components of a comprehensive criminal background check process that are not listed in the Plan can describe that process.



Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

Sharing

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- ◆ What questions do you have about these requirements?
- ◆ What are your major challenges?
- ◆ How will you address these requirements in your program?



2.3.2: Alternative Approach for Background Checks

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- ◆ Tribal Lead Agencies may propose and provide a justification for an alternative approach for background checks.
- ◆ The alternative approach is subject to Administration for Children and Families (ACF) approval.
- ◆ ACF will not approve approaches with blanket exemptions or waivers that bypass the intent of protecting children's safety.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

Alternative Approach: 45-Day Turnaround

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- ◆ Tribes may request flexibility around the requirement to carry out background check requests within 45 days.
- ◆ Justifications for the flexible approach may include the following:
 - Tribes must rely on state systems, which may extend the background check process.
 - Jurisdictional issues can exist between states and Tribes.

Child Care and Development Fund, 45 C.F.R § 98.83(d)(3) (2016).

Alternative Approach: Family Child Care

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- ◆ Justification for the alternative approach includes the following:
 - When a Tribe is conducting background checks on other adults in a family child care home, OCC has heard through its consultation sessions that many Tribal families live in households with several generations.
 - Requiring all members of the household to complete all five components of a comprehensive background check could be burdensome for the family and for the Tribal Lead Agency.
- ◆ Tribal Lead Agencies could also use an alternative strategy to conduct background checks on other individuals in a family child care home.
- ◆ OCC expects that Tribal Lead Agencies will conduct some components of a background check for these individuals.

Child Care and Development Fund, 45 C.F.R § 98.83(d)(3) (2016).

Alternative Approach: Disqualifying Crimes

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- ◆ OCC may also grant flexibility to Tribes around disqualifying crimes.
- ◆ OCC will not approve any approaches that ask for flexibility around violent crimes or crimes against children.



Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

Small-Group Discussion

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2.3.3: Disqualifying Crimes

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Child care staff members cannot be employed by a child care provider receiving CCDF subsidy funds if they

- ◆ refuse a background check,
- ◆ make materially false statements in connection with the background check, or
- ◆ are registered or required to be registered on the state or National Sex Offender Registry.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.3: Disqualifying Crimes

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Potential child care staff members cannot be employed if they have been convicted of any of the following:

- ◆ A felony consisting of murder, child abuse or neglect, crimes against children, spousal abuse, crimes involving rape or sexual assault, kidnapping, arson, physical assault or battery
- ◆ A drug-related offense committed during the preceding 5 years (subject to individual review at the Tribal Lead Agency's option)
- ◆ A violent misdemeanor committed as an adult against a child, including child abuse, child endangerment, or sexual assault, or a misdemeanor involving child pornography (subject to individual review at the Tribal Lead Agency's option)

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.3: Disqualifying Crimes

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- ◆ Results of individual background checks must not be publicly released.
- ◆ Tribal Lead Agencies may choose to release aggregated data by crime as long as there is no personally identifiable information.

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.4: Appeals

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The Tribal Lead Agency must have a process for a child care provider or staff member to appeal the results of his or her background check to challenge the accuracy or completeness of the criminal background report, as detailed in 98.43(e)(3).

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

2.3.5: Fees

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- ◆ Tribal Lead Agencies must ensure that fees charged for completing the background checks do not exceed the actual cost of processing and administration.
- ◆ Tribal Lead Agencies can report that no fees are charged if applicable, as detailed in 98.43(f).

Child Care and Development Fund, 45 C.F.R § 98.43 (2016).

Small-Group Discussion

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2.3.6: Relatives

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- ◆ Federal rules do not require background checks for relative care providers who receive CCDF funds
- ◆ Tribes can choose which background check requirements relative care providers must meet:
 - Grandparents
 - Great-grandparents
 - Siblings in a separate residence
 - Aunts
 - Uncles

Relative care providers include individuals who are 18 years of age or older and related to eligible child by marriage, blood relationship or court decree.

Child Care and Development Fund, 45 C.F.R§ 98.2(2); § 98.42(c) (2016).

Small-Group Discussion

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Plan Writing Time

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25 minutes



Questions

- ◆ 2.3.1
- ◆ 2.3.2
- ◆ 2.3.3
- ◆ 2.3.4
- ◆ 2.3.5
- ◆ 2.3.6

CCDF Tribal Plan Preprint Training

FY 2020–2022 CCDF Tribal Plan Preprint

Disaster Preparedness and Response Plan

Section 2.4



Section 2.4 Overview

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- ◆ **2.4.1:** Child Care Disaster Plan Development and Coordination
- ◆ **2.4.2:** Continuation of Child Care Subsidies and Child Care Services
- ◆ **2.4.3:** Coordination of Post-Disaster Recovery of Child Care Services
- ◆ **2.4.4:** CCDF Provider Procedures
- ◆ **2.4.5:** Emergency Preparedness Training and Practice Drills Procedures
- ◆ **2.4.6:** Exemptions for Relative Care Providers

2.4 Disaster Preparedness and Response Plan

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- ◆ **All Tribal Lead Agencies are required to establish a child care disaster plan for the Tribal CCDF service area.**
- ◆ Child care disaster plans should
 - describe how the needs of children will be addressed and
 - indicate the need for safe child care
 - before,
 - during, and
 - after a state of emergency is declared.
- ◆ Additional guidance is provided in Office of Child Care information memoranda.

Child Care and Development Fund, 45 C.F.R § 98.16(aa); § 98.41(a)(1)(vii) (2016).

Child Care Disaster Plan Components

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- ◆ Coordination and collaboration with key partners
- ◆ Guidelines for continuation of child care subsidies and services
- ◆ Coordination of post-disaster recovery of child care services
- ◆ Requirements for CCDF providers and other child care providers

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

Child Care Disaster Planning

- ◆ Hurricanes
- ◆ Tsunami
- ◆ Fires
- ◆ Wildfires
- ◆ Power outage
- ◆ Extreme heat
- ◆ Drought
- ◆ Volcanic eruption
- ◆ Landslide/Mudslide
- ◆ Flooding
- ◆ Tornadoes
- ◆ Earthquakes
- ◆ Hostile intruders
- ◆ Active shooters
- ◆ Thunderstorms and lightning
- ◆ Winter storms
- ◆ Extreme cold

2.4.1: Child Care Disaster Plan Development and Coordination

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- ◆ Establish an effective disaster plan by coordinating and collaborating with appropriate stakeholders
- ◆ Coordinate with other Tribal programs

Stakeholders may include the following:

- ◆ Human services agency (in other words, social services)
- ◆ Emergency management agency
- ◆ Child care licensing agency
- ◆ Health department (in other words, public health)
- ◆ Child care resource and referral agencies
- ◆ State Advisory Council on Early Childhood Education and Care or similar coordinating body

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

Coordinating and Collaborating with Key Partners

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- ◆ Tribal Lead Agencies should coordinate with key partners to prepare for disasters and provide effective emergency services and temporary child care services.
- ◆ Tribal Lead Agencies may use existing coalitions or task forces in the service area to establish and develop the child care disaster plan.

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

Discussion

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APPENDIX A Checklist for Developing Child Care Emergency Preparedness and Response Plans			
Lead	1. Coordinating and Collaborating with Key Partners	In Progress	Completed
	The plan is developed in consultation with the state advisory council on early childhood education and care or similar coordinating body.		
	The plan is developed in collaboration with the emergency management agency and formalizes coordination with child care within statewide emergency planning.		
	The plan includes coordination with local and state child care resource and referral agencies (CCR&R) and incorporates provisions for communication with local child care providers in their respective geographic areas.		
	The plan includes consultation and coordination with child care licensing and regulatory agencies to ensure that providers engage in emergency preparedness and planning activities, including distribution of materials and resources to assist child care providers.		
	The plan includes coordination with other early care and education programs (e.g., Head Start centers, state pre-kindergarten) to ensure collaboration and consistency in emergency preparedness and planning efforts.		
	The plan includes coordination with education agencies and local school districts to streamline emergency planning efforts across early care and education settings. This is particularly important in communities that provide before and after-school care or summer child care programs within a public or private school facility.		
	The plan includes coordination with the state public health agency or public health department to ensure timely and accurate communication with child care providers in the event of a public health emergency.		
	The plan includes coordination with the state emergency management agency.		
	The plan includes coordination with voluntary organizations that provide support for child care and provision of temporary child care or respite care services, if needed. Examples of voluntary organizations that provide child-related disaster services are listed in Appendix B Child Care Resources.		
	The plan provides for coordination with local business owners and non-profit organizations to donate supplies (e.g., bottled water and first aid supplies) to child care providers to stock emergency kits.		
	The plan includes coordination with Tribal communities and agencies, when applicable, to ensure Tribal child care programs are included in statewide emergency planning and response efforts.		
	The plan includes coordination with the state human services agency, if it differs from the Lead Agency.		
	The plan includes coordination across state jurisdictional lines, particularly in border states, which may serve families that must be evacuated from disaster areas.		

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). Appendix a: Checklist for developing child care emergency preparedness and response plans. (Form: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01-appendix-a>

Plan Writing Time

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10 minutes



Questions

◆ 2.4.1

2.4.2: Continuation of Child Care Subsidies and Child Care Services

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- ◆ Includes
 - Provision of emergency and temporary child care services during a disaster
 - Temporary operating standards for child care after a disaster
- ◆ Tribal Lead Agencies have flexibility to adapt policies to maintain continuity of services for families affected by a disaster

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

2.4.2: Continuation of Child Care Subsidies and Child Care Services

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Tribal Lead Agencies must have a plan in place for families receiving CCDF benefits

- ◆ to perform essential functions and
- ◆ achieve programmatic continuity during and after an emergency or disaster.



Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

Providing Emergency and Temporary Child Care Services During a Disaster

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Emergency child care can do the following:

- ◆ Be provided in a variety of settings
 - Shelters
 - Schools
 - Other non-permanent facilities
- ◆ Protect children from disaster-related hazards
- ◆ Support families who need temporary relief in the immediate aftermath of a disaster

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

Temporary Operating Standards for Child Care

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Temporary child care does the following:

- ◆ Often occurs in non-traditional settings
- ◆ May require modifying regulatory or licensing standards
- ◆ Can require development of regulatory standards specific to operating emergency or temporary child care
- ◆ Helps reduce barriers for needed services

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

Providing Emergency and Temporary Child Care Services During a Disaster

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Training for qualified child care providers in preparation for emergencies and disasters can include the following:

- ◆ Psychological first aid
- ◆ Play therapy
- ◆ Other mental health approaches to support children in coping with trauma
- ◆ Emergency operations

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

2.4.3: Coordination of Post-Disaster Recovery of Child Care Services

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- ◆ Includes planning for restoring or rebuilding child care facilities and infrastructure after a disaster
- ◆ Child care services must be restored as quickly as possible following a disaster

Continuity planning can include the following:

- ◆ Protection of vital records and resources
- ◆ Ensuring child care providers have adequate insurance coverage to facilitate a faster recovery from a disaster

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

2.4.4: CCDF Provider Policies and Procedures

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CCDF health and safety requirements and training include procedures for the following:

- ◆ Evacuation
- ◆ Relocation
- ◆ Shelter-in-place
- ◆ Lock down
- ◆ Communication and reunification of families
- ◆ Continuity of operations
- ◆ Accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions

Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (2017). *Statewide disaster plan (or disaster plan for a Tribe's service area) for child care*. (Information memorandum: CCDF-ACF-IM-2017-01). Retrieved from <https://www.acf.hhs.gov/occ/resource/im-2017-01>

2.4.5: Emergency Preparedness Training and Practice Drills

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Tribal Lead Agencies are required to have procedures in place for staff and volunteer emergency preparedness training and practice drills.

Strategies

- ◆ Ensuring there is training and technical assistance for child care providers
- ◆ Partnering with local child care resource and referral agencies

Child Care and Development Fund, 45 C.F.R § 98.16(aa); § 98.41(a)(1)(vii) (2016).

2.4.6: Exemptions for Relative Care Providers

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Tribal Lead Agencies must describe any disaster preparedness and response requirement exemptions for relative care providers.



Sharing

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- ◆ What questions do you have about these requirements?
- ◆ What are your major challenges?
- ◆ How will you address these requirements in your program?



Plan Writing Time

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10 minutes



Questions

- ◆ 2.4.2
- ◆ 2.4.3
- ◆ 2.4.4
- ◆ 2.4.5
- ◆ 2.4.6

Reflections on Sections 2.3 and 2.4

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- ◆ What **questions** do you still have about these CCDF Plan sections?
- ◆ What **strategies** would you like to apply in your CCDF program?
- ◆ What are your **next steps** for completing this CCDF Plan section?
- ◆ What **technical assistance** might you need to support your next steps?

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Thank You



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